

Adopted	Rejected
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## COMMITTEE REPORT

YES:	9
NO:	3

### MR. SPEAKER:

*Your Committee on* **Local Government**, to which was referred Senate Bill 9, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1           Page 6, delete lines 9 through 33, begin a new paragraph and insert:
- 2           "SECTION 2. IC 22-11-14-10.5 IS ADDED TO THE INDIANA
- 3           CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4           [EFFECTIVE UPON PASSAGE]: **Sec. 10.5. (a) As used in this**
- 5           **section, "fireworks use ordinance" means an ordinance that**
- 6           **regulates any of the following:**
- 7               **(1) The days and hours when consumer fireworks may be**
- 8               **used, ignited, or discharged.**
- 9               **(2) The locations where consumer fireworks may be used,**
- 10              **ignited, or discharged.**
- 11           **(b) Notwithstanding any other provision of this chapter:**
- 12               **(1) a county may adopt a fireworks use ordinance covering**
- 13               **the unincorporated areas of the county; and**
- 14               **(2) a municipality may adopt a fireworks use ordinance**
- 15               **covering the area within the corporate limits of the**
- 16               **municipality.**

- 1           **(c) A fireworks use ordinance:**  
 2               **(1) may limit the use of fireworks:**  
 3                   **(A) in the unincorporated areas of the county if adopted**  
 4                   **by a county; and**  
 5                   **(B) in the municipality if adopted by a municipality;**  
 6               **(2) may not be more lenient than a rule adopted by a state**  
 7               **agency concerning the use of fireworks; and**  
 8               **(3) may not limit the use of fireworks:**  
 9                   **(A) between the hours of 5 p.m. and 11 p.m. on July 2,**  
 10                  **July 3, July 5, July 6, and July 7;**  
 11                  **(B) between the hours of 10 a.m. and midnight on July 4;**  
 12                  **(C) between the hours of 10 a.m. on December 31 and 1**  
 13                  **a.m. on January 1; and**  
 14                  **(D) between the hours of 10 a.m. and 11 p.m. on January**  
 15                  **1.**  
 16           **(d) The power to enforce a noise ordinance by a county or a**  
 17           **municipality is not affected by the county's or municipality's action**  
 18           **or lack of action under this section."**  
 19           Renumber all SECTIONS consecutively.  
           (Reference is to SB 9 as reprinted February 7, 2007.)

**and when so amended that said bill do pass.**

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Representative Smith V